



THE STATE OF FLORIDA
FINANCIAL SERVICES COMMISSION

OFFICE OF INSURANCE REGULATION
MARKET INVESTIGATIONS

MARKET CONDUCT FINAL EXAMINATION REPORT

OF

UNITED AMERICAN INSURANCE COMPANY

AS OF

January 22, 2009

NAIC COMPANY CODE: 92916
NAIC GROUP CODE: 0290

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EXECUTIVE SUMMARY

In June 2006, the Florida Legislature enacted the Freedom to Travel Act, which modified Florida's Unfair Trade Practices Act by placing prohibitions on life insurance limitations upon an individual based solely on the individual's past lawful foreign travel or future lawful travel plans. The Florida Unfair Trade Practices Act also prohibits the refusal to insure, or continue to insure, based on the individual's race, color, creed, marital status, sex, or national origin.

Rule 69D-2 Florida Administrative Code became effective in October 2006 to implement the provisions of Section 626.9891, Florida Statutes. This rule requires a higher level of detail and accountability for Insurer Anti-Fraud Special Investigative Unit (SIU) Description filings and Insurer Anti-Fraud Plan filings.

A target market conduct examination of United American Insurance Company was performed to determine compliance with Sections 626.9541(1)(g), 626.9541(1)(j), 626.9541(1)(x), 626.9541(1)(dd) and Section 626.9891, Florida Statutes and Rules 69O-125.003 and 69D-2, Florida Administrative Code.

The following represent general findings, however, specific details are found in each section of the report.

TABLE OF TOTAL VIOLATIONS

Finding #	Statute/Rule	Description	Files Reviewed	Number of Violations
#1	FS 626.9541(1)(j)	Complaint handling procedures.	20	5

PURPOSE AND SCOPE OF EXAMINATION

The Office of Insurance Regulation (Office), Market Investigations, conducted a target market conduct examination of United American Insurance Company (Company) pursuant to Section 624.3161, Florida Statutes. The examination was performed by Examination Resources, LLC, at the offices of the Torchmark Corporation, the parent company's headquarters, at 3700 S. Stonebridge Dr., McKinney, TX. The scope period of this examination was January 1, 2004 through September 30, 2008. The examination began January 19, 2009 and ended on January 22, 2009.

The purpose of this examination was to verify the Company's compliance with Sections 626.9541(1)(g), 626.9541(1)(x), 626.9541(1)(dd), 626.9541(1)(j) and Section 626.9891, Florida Statutes, and Rules 69O-125.003 and 69D-2, Florida Administrative Code. Examination

procedures included the review of underwriting and agent training manuals, forms, underwriting practices and the new business issue process; complaint handling procedures; and the Company's anti-fraud plan.

In reviewing materials for this report, the Examiners relied on records provided by the Company. Procedures and conduct of the examination were in accordance with the *Market Regulation Handbook* produced by the National Association of Insurance Commissioners.

COMPANY OPERATIONS

The Company is a foreign life and health insurer licensed to conduct business in the State of Florida on June 1, 1960. The Company is a wholly owned subsidiary of the Torchmark Corporation, a publicly traded insurance holding company. It is authorized to write Life, Group Life and Annuity and Accident & Health lines of business in the State of Florida. Insurance is marketed primarily through captive agents and independent agents. The Company's Total Direct Premiums Written in Florida for Life Insurance was as follows:

Year	Total Written Life Premium In Florida (Per Schedule T of the Financial Statement)
2004	\$3,094,465
2005	\$2,954,517
2006	\$2,813,216
2007	\$2,653,023
2008*	\$2,068,148

*YTD as of September 30, 2008

LIFE INSURANCE APPLICATION REVIEW

The Company received 13,097 life insurance applications during the examination period of January 1, 2004 through September 30, 2008. The examination targeted the review of life insurance applications for compliance with Sections 626.9541(1)(g), 626.9541(1)(x), and 626.9541(1)(dd), Florida Statutes.

The Company does not capture an applicant's place of birth or past travel or future travel plans on any of its life insurance applications. No applications were postponed, declined, or issued in a manner other than applied for due to lawful foreign travel or due to place of birth.

One hundred (100) cancelled or declined applications were selected for review.

Application File Review Summary

Total Population of Applications Received During Exam Period	13,097
Total Applications Cancelled or Declined	3355
Application Files Reviewed	100
Total Application Files With Exceptions Noted	0
Percentage of Application Files With Exceptions Noted	0%

Findings

No exceptions were noted

COMPLIANT HANDLING REVIEW

An examination was completed to test Company's compliance with complaint handling procedures, Section F.S. 626.9541(1)(j). The company complaint log was requested and provided by the Company. A random sample of twenty (20) complaints was reviewed to verify that all complaints on the Department of Financial Services (DFS) listing had been entered into the Company's complaint log.

Finding

There were five (5) instances of complaints or grievances received by the DFS that were not properly recorded in the Company's complaint log.

Corrective Action

The Company should fully comply with the requirements of the complaint handling procedures in 626.9541(1)(j) Florida Statutes.

ANTI-FRAUD REVIEW

The Company provided a document entitled "Torchmark Anti-Fraud Program", which states that the Company has established a Special Investigative Unit (SIU) to investigate potential fraud claims. The document also contains a section that outlines fraud indicators and a section describing the referral process to the SIU. The Company has provided a receipt dated April 24, 1996 from the Florida Department of Insurance as proof that the plan was filed with the Division of Fraud as required by 626.9891 Florida Statutes.

Findings

No exceptions were noted

EXAMINATION FINAL REPORT SUBMISSION

This Final Report is based upon information from the examiner's draft report, additional research conducted by the Office, and additional information provided by the Company. Procedures and conduct of the examination were in accordance with the Market Conduct Examiner's Handbook produced by the National Association of Insurance Commissioners.

The courtesy and cooperation of the officers and employees of the Company during the examination are acknowledged.

John Hall, AIE, CPCU, Bill Dow, AIE, FLMI, and Todd Fatzinger, CIE, CFE, FLMI, participated in this examination.

Respectfully submitted,

Examination Resources, LLC